

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wei et al. }
Serial No. : 09/829,124 }
Cnfrm. No. : 2301 }
Filed : April 9, 2001 }
For : HYPERSENSITIVE RESPONSE ELICITOR }
FROM XANTHOMONAS CAMPESTRIS }

PATENT
Docket No.: 21829/101 (EBC-008)

**NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME**

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated May 20, 2003, finally rejecting claims 1-4, 6-18, 90, and 91.

Applicants hereby request an extension of time of three months from the due date of August 20, 2003. Enclosed is a check to cover both the \$475.00 extension of time fee and the \$165.00 appeal fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

11/24/2003 JBALINAN 00000001 09829124

01 FC:2253 475.00 OP

Respectfully submitted,

11/24/2003 JBALINAN 00000001 09829124

02 FC:2401 165.00 OP

Dated: November 19, 2003

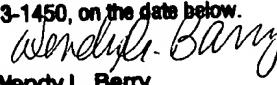

Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1128
Facsimile: (585) 263-1600

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.

11/19/03 
Wendy L. Barry

Date